

DEFENSE

**Agreement Between the
UNITED STATES OF AMERICA
and BENIN**

Effected by Exchange of Notes at
Cotonou June 24 and July 23, 1998



NOTE BY THE DEPARTMENT OF STATE

Pursuant to Public Law 89—497, approved July 8, 1966
(80 Stat. 271; 1 U.S.C. 113)—

“ . . .the Treaties and Other International Acts Series issued under the authority of the Secretary of State shall be competent evidence . . . of the treaties, international agreements other than treaties, and proclamations by the President of such treaties and international agreements other than treaties, as the case may be, therein contained, in all the courts of law and equity and of maritime jurisdiction, and in all the tribunals and public offices of the United States, and of the several States, without any further proof or authentication thereof.”

BENIN

Defense

*Agreement effected by exchange of notes at
Cotonou June 24 and July 23, 1998;
Entered into force July 23, 1998.*



EMBASSY OF THE
UNITED STATES OF AMERICA

No. 084

The Embassy of the United States of America presents its compliments to the Ministry of Foreign Affairs and Cooperation of the Republic of Benin and has the honor to refer to the Embassy's note No. 150 of September 26, 1994 which, together with the Ministry's note No. 1359/M.G.G.C./S.G./DAM/AN/AN/DI of October 3, 1994 constitutes agreement between the two governments regarding assurances related to the end use, security and retransfer of military equipment and military training and education services.

The Embassy of the United States of America refers to discussions between the two Governments regarding the provision of commodities, services, and related training by the Government of the United States of America to the Government of the Republic of Benin for peacekeeping and humanitarian purposes, and for participation in the African Crisis Response Initiative.

The Embassy of the United States of America proposes that the terms of the agreement referenced above shall apply to such commodities, services, and related training furnished by the Government of the United States of America to the Government of Benin, except that such commodities, services, and related training shall be used solely for peacekeeping and humanitarian purposes, related training activities, and for participation in the African Crisis Response Initiative.

If the proposals set forth herein are acceptable to the Government of Benin, the Embassy proposes that this note, together with the Ministry's reply to that effect, shall constitute an agreement between the two governments which shall enter in force on the date of the Ministry's reply.

Attached to this note is suggested language for the Ministry's reply.*

The Embassy of the United States of America avails itself of this opportunity to renew to the Ministry of Foreign Affairs and Cooperation of the Republic of Benin the assurances of its highest consideration.



Embassy of the United States of America.

Cotonou, June 24, 1998.

* Not included

REPUBLIQUE DU BENIN

MINISTERE
DES AFFAIRES ETRANGERES
ET DE LA COOPERATION

DIRECTION DE CABINET

SECRETARIAT GENERAL

DIRECTION AMERIQUE

N° 1075 / MAEC/DC/SG/DAM/DA/AN/D1

Le Ministère des Affaires Etrangères et de la Coopération de la République du Bénin présente ses compliments à l'Ambassade des Etats-Unis d'Amérique et a l'honneur d'accuser réception de sa note verbale n° 084 du 24 juin 1998, dont la teneur suit :

« L'Ambassade des Etats-Unis d'Amérique présente ses compliments au Ministère des Affaires Etrangères et de la Coopération de la République du Bénin et a l'honneur de se référer à sa note N° 150 du 26 septembre 1994 qui, avec la note ministérielle n° 1359/MAEC/DC/SG/DAM/AN/D1 du 03 octobre 1994, constitue un accord entre les deux gouvernements sur les garanties relatives à l'utilisation, la sécurité et la restitution des matériels militaires, et des prestations de service ou formations militaires.

L'Ambassade des Etats-Unis d'Amérique se réfère aux discussions entre les deux gouvernements concernant la fourniture de commodités, services et formations afférentes par le gouvernement des Etats-Unis d'Amérique au gouvernement du Bénin pour des fins de maintien de la paix et humanitaires et pour la participation à l'Initiative de Réaction aux Crises Africaines.

L'Ambassade des Etats-Unis d'Amérique propose que les termes de l'accord ci-dessus mentionné s'appliquent aux commodités, services et formations afférentes, fournis par le gouvernement des Etats-Unis d'Amérique au Gouvernement du Bénin, sauf que ces commodités, services et formations afférentes seront uniquement destinés à des fins de maintien de la paix et humanitaires, activités de formations afférentes et pour la participation à l'Initiative de Réaction aux Crises Africaines.

AMBASSADE DES ETATS-UNIS
D'AMERIQUE
C O T O N O U

Si les propositions ci-dessus énumérées conviennent au gouvernement du Bénin, l'Ambassade propose que la présente note ainsi que la réponse du Ministère à cet effet constituent un accord entre les deux gouvernements, accord qui entrera en vigueur à la date où le Ministère donnera sa réponse.

L'Ambassade des Etats-Unis d'Amérique saisit cette occasion pour renouveler au Ministère des Affaires Etrangères de la République du Bénin, les assurances de sa très haute considération. » Fin de citation.

En réponse, le Ministère accepte, au nom du gouvernement du Bénin, les propositions énumérées dans ladite note et confirme que sa note ainsi que celle de l'Ambassade constituent un accord entre les deux gouvernements, accord qui entrera en vigueur ce jour.



Le Ministère des Affaires Etrangères et de la Coopération de la République du Bénin saisit cette occasion pour renouveler à l'Ambassade des Etats-Unis d'Amérique les assurances de sa haute considération.-



COTONOU, le 29 JUL 1998

**U.S. Department of State
Office of Language Services
Translating Division**

LS No. 09285
HKE/JF
French

Republic of Benin
Ministry of Foreign Affairs and Cooperation
Executive Staff
General Secretariat
Bureau of American Affairs

No. 1075/MAEC/DC/SG/DAM/DA/AN/D1

The Ministry of Foreign Affairs and Cooperation of the Republic of Benin presents its compliments to the Embassy of the United States of America and has the honor to acknowledge receipt of its note verbale No. 084 of June 24, 1998, which reads as follows:

[The French translation of the above-mentioned note agrees in all substantive respects with the original English text, with the possible exceptions noted below:

In the fifth line of the first paragraph of the U.S. note, the number of the Ministry's note is given as "1359/M.G.G.C./S.G./DAM/AN/AN/D1." It is given in the French translation as "1359/MAEC/DC/SG/DAM/AN/D1."

In the third line from the end of the first paragraph of the U.S. note, the phrase "related to the end use, security and retransfer of military equipment and military training and education services" is rendered in French as "relating to the use, security and return of military equipment and provision of service or military training."

In the third line from the end of the third paragraph of the U.S. note, the phrase "shall be used solely" is rendered in French as "shall be intended solely."

The next-to-last paragraph of the U.S. note (the line beginning "Attached to....") does not appear in the French.]

Embassy of the United States of America,
Cotonou.

In reply, and on behalf of the Government of Benin, the Ministry concurs in the proposals set forth in said note and confirms that its note and that of the Embassy shall constitute an agreement between the two governments, which shall enter into force on this day.

The Ministry of Foreign Affairs and Cooperation of the Republic of Benin avails itself of this opportunity to renew to the Embassy of the United States of America the assurances of its high consideration.

Cotonou, July 23, 1998

[Initialed]

[Ministry stamp]